

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

vs.

**ANTHONY J. NOCELLA and
J. RUSSELL MCCANN,**

Defendants.

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**Civil Action No.: 4:12-cv-1051
ECF**

AGREED MOTION TO ENTER AGREED FINAL JUDGMENT

Plaintiff Securities and Exchange Commission (“Commission”) submits this Agreed Motion to Enter Agreed Final Judgment as to Defendants Anthony J. Nocella and J. Russell McCann (“Defendants”) in this cause and would show the Court as follows:

1. The Commission filed this case on April 5, 2012 alleging the Defendants had engaged in various violations of the federal securities laws.
2. The Commission has reached an agreement with each Defendant to settle all claims in this litigation.
3. Each Defendant executed a Consent to the Agreed Final Judgment. Defendants’ signed Consents are attached as Exhibits A and B, and the proposed Agreed Final Judgment is attached as Exhibit C.

WHEREFORE, the Commission respectfully requests that the Court enter the Proposed Agreed Final Judgment.

Dated: October 2, 2015

Respectfully submitted,

/s/ Jennifer D. Brandt

Jennifer D. Brandt

Texas Bar No. 00796242

United States Securities and Exchange Commission

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I affirm that on October 2, 2015, I electronically filed the foregoing document with the Clerk of the Court for the Southern District of Texas, Houston Division, and have served all counsel in accordance with Fed. R. Civ. P. 5(b)(2).

/s/ Jennifer D. Brandt

Jennifer D. Brandt